

SECOND CONSTITUTIONAL CONVENTION
of the
NORTHERN MARIANA ISLANDS
CONVENTION HALL - HOUSE OF TAGA
Saipan, CM 96950

FIRST DAY

Tuesday, June 18, 1985

Pursuant to CNMI Public Law No. 4-30, the Second Constitutional Convention of the Northern Mariana Islands convened its First Day Session in the Convention Hall - House of Taga, San Vicente, Saipan, at 9:18 a.m., on Tuesday, June 18, 1985.

The Honorable Delegate-Elect James M. Mendiola, Pre-Convention Committee Chairman, presided.

Chairman J. Mendiola: First of all, I'd like to welcome all the delegates; Honorable Pedro P. Tenorio, Governor of the Commonwealth of the Northern Marianas; Lieutenant Governor Tenorio; Judge Hefner; His Excellency Bishop Camacho; and Speaker of the House of Representatives; ladies and gentlemen, people of the Commonwealth of the Northern Marianas. First, I would like to officially convene this Convention, the 1985 Second Constitutional Convention. This Convention is now in order. I would like to call upon His Excellency Bishop Tomas Camacho for the invocation, please.

(At this point, everybody rose, and His Excellency Tomas A. Camacho, Bishop of the Chalan Kanoa Diocese, administered the invocation.)

Chairman J. Mendiola: Now, I would like to call upon our Governor, the Honorable Pedro P. Tenorio, to give us his brief remarks. Governor Tenorio, please.

Governor Pedro P. Tenorio: Thank you, Mr. Pro Tem Chairman. Good morning, Your Excellency Bishop Camacho, Chief Judge Hefner, Judge Laureta, Lt. Governor Tenorio, Delegates to the Second Northern Marianas Constitutional Convention, distinguished guests and visitors: It gives me great pleasure to appear before you and participate in this momentous occasion. The people of our great Commonwealth have placed a great deal of trust and confidence in you by electing twenty-four of you to be delegates to this Second Constitutional Convention.

Since the inception of our government in 1978, the Commonwealth has experienced tremendous growth, and we have matured economically, socially and politically. Much of our progress and growth, in both, the public and private sectors, is attributable to provisions contained in our Constitution.

The Constitution that you will be analyzing and reviewing has been the supreme law of the land and contains provisions which take into consideration our unique cultures and the relationship between the Commonwealth and the United States. You are charged with the responsibility of reviewing and adopting proposed amendments to that document.

It would be presumptuous on my part to suggest areas where improvements are needed. However, one area not in our Constitution deserves your support and favorable action. I am strongly recommending that you address

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women's rights and privileges in the Commonwealth with a view toward insuring that equal rights and protection be extended. I respectfully request that in your deliberations you place the greatest emphasis on what is best for all of the people of our Commonwealth and do not allow your judgment to be swayed by those with special interests.

Like any other documents, our Constitution can be improved and amended to reflect the knowledge and experience that we have gained by being a self-governing entity for the last seven and a half years. Do not be afraid of change but do not recommend changes which are not necessary or important to our economic, social and political well-being.

The task which lies ahead is not easy. Any amendments you adopt, if approved in accordance with Section 5 of Article XVIII will become the supreme law of the Northern Mariana Islands.

I would like to express my sincere thanks and appreciation to all of you as you face the challenge which lies ahead. I pray to God that He will grant you the intelligence, wisdom and foresight so that the ultimate product you agree upon is truly beneficial to present and future generations.

God bless you all. Si Yuus Maase.

(Applause)

Chairman J. Mendiola: Thank you, Governor Tenorio. Now, I would like to call upon the Chairman of the Board of Elections for presentation of the certificates.

(At this point, Mr. Plasido M. Tagabuel, Chairman of the Board of Elections, passed out the Certificates of Election to the delegates-elect, individually.)

(Applause)

Chairman J. Mendiola: Thank you, Mr. Chairman. Now, I would like to ask Mr. Torres for the call of the roll, please.

At this point, Mr. Joaquin Torres called the roll, as follows:

Delegate-elect Lorenzo I. Deleon Guerrero
Delegate-elect Herman T. Guerrero
Delegate-elect Alonzo Igisomar
Delegate-elect David L. Igitol
Delegate-elect Benusto R. Kaipat
Delegate-elect Luis M. Limes
Delegate-elect Juan T. Lizama
Delegate-elect Jesus P. Mafnas
Delegate-elect Felicidad T. Ogumoro
Delegate-elect Maria T. Pangelinan
Delegate-elect Karl T. Reyes
Delegate-elect Joaquin A. Tenorio

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Delegate-elect Francisco Tomokane
Delegate-elect William S. Torres
Delegate-elect Ramon G. Villagomez
Delegate-elect Ignacio Villanueva

Delegate-elect Vicente M. Calvo
Delegate-elect Rita H. Inos
Delegate-elect Paul A. Manglona
Delegate-elect Aniceto H. Mundo

Delegate-elect David M. Cing
Delegate-elect Esteven M. King
Delegate-elect James M. Mendiola
Delegate-elect William B. Nabors

Mr. Torres: Mr. Chairman, we have 24 presence.

Chairman J. Mendiola: Thank you, Mr. Torres. Next in our Order of Business for today is the Oath of Office by the Honorable Chief Judge Hefner. Please stand.

At this point, all the 24 delegates stood up with Chief Judge Hefner.

Chief Judge Hefner: All delegates, please raise your right hand and repeat after me: "I do solemnly swear that I will support and defend the Constitution and laws of the Commonwealth of the Northern Mariana Islands, the Covenant to Establish a Commonwealth of the Northern Mariana Islands in Political Union with the United States of America, the applicable provisions of the Constitution, laws and treaties of the United States of America and that I will faithfully discharge my duties to the best of my ability, so help me God."

(Applause)

Chairman J. Mendiola: Thank you, Judge Hefner. Next in our agenda will be the election of the President of this Convention. May I hear any motion for nomination? Delegate Cing?

Delegate D. Cing: Thank you, Mr. Chairman. I would like to nominate Herman T. Guerrero.

Delegate Benusto Kaipat seconded the nomination.

Chairman J. Mendiola: It has been moved and seconded. Next, Delegate Igisomar?

Delegate A. Igisomar: Mr. Chairman, I would like to nominate Mr. Jesus P. Mafnas.

Delegate Ignacio Villanueva seconded the nomination.

Chairman J. Mendiola: Anymore nominations? Recognized, Delegate Villagomez.

Delegate R. Villagomez: I move that the nominations be closed.

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Delegate William Nabors seconded the motion.

Chairman Mendiola: It has been moved and seconded to close the nominations. Okay, Jack? We have the ballots here to be passed out by Mr. Charlie Calvo.

(The ballots were passed out to all the delegates and collected by Mr. Calvo, and then Chief Judge Hefner counted the ballots.)

Chairman Mendiola: The election result is nine for Mafnas and fifteen for Guerrero.

(Applause)

Chairman J. Mendiola: Ladies and gentlemen, the President for the 1985 Second Constitutional Convention is Mr. Herman T. Guerrero.

(Applause)

(At this point, President Herman T. Guerrero took over the Chair, and Delegate James Mendiola took his seat.)

President H. Guerrero: Thank you. Before we go on with the Order of Business, I would like to say a few remarks.

Honored guests, Governor Pedro P. Tenorio, Lt. Governor Pedro A. Tenorio, Speaker Vicente M. Sablan, Chief Judge Robert Hefner, His Excellency Bishop Tomas Camacho, and my fellow delegates: As the newly elected President of the Second Constitutional Convention of the Northern Mariana Islands, I am honored to welcome each and every one of you to this historic event.

At the outset, I would like to extend our thanks and appreciation to the people of the Commonwealth of the Northern Mariana Islands and to Governor Pedro P. Tenorio in lending his support in the preparation of this auspicious occasion. I wish to acknowledge the dedication of the Pre-Convention Committee, without whose help, this day would not have been possible. Also, I extend my personal gratitude to my fellow delegates and our mutual constituency for their vote of confidence. This Constitutional Convention will do its utmost to benefit all the peoples of the Northern Mariana Islands.

We face many difficult tasks in the days ahead -- our primary task being to safeguard the Constitution. You will note that I see ourselves as guardians rather than framers of the Constitution and I make this distinction for important reasons. Already, our Constitution is well-drafted and has served us well over the years. I suggest that this is an opportunity for constitutional review and delicate modifications only after weighty consideration of those fundamental principles which we seek to change. I suggest further, that we must take great care to recognize that there are appropriate vehicles for change and not all of them arise within the context of the Constitutional Convention. There are changes that can be met judicially, changes that are more appropriately addressed legislatively, and lastly, those changes, those few changes that can and should only be addressed constitutionally.

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Our Constitution is one body of law that governs all and this must be our guide as delegates to this Convention. We come from many walks of life and represent many interests, however, in this forum, we must have one common goal and this must be the common good of the people of the Northern Mariana Islands. We must exercise restraint in achieving this end and hope that we can rely on your support collectively to achieve this very difficult end. Thank you -- Si Yuus Maase.

(Applause)

President H. Guerrero: The next order of business is the adoption of the Rules of Procedure. Delegate Mafnas?

Delegate J. Mafnas: Mr. President, I move that we adopt the Rules of Procedure.

There was a second to the motion.

Delegate P. Manglona: I move that we take a five-minute recess due to the original copy been given to us differs from the copy that we have advanced.

Delegate D. Cing: Mr. President?

President H. Guerrero: Delegate Cing?

Delegate D. Cing: What Delegate Manglona was trying to say is we have a different copy on our table that favors somebody which is not us. I would like to move for a short recess, Mr. President.

There was a second to the motion.

President H. Guerrero: Granted. Recess for five minutes.

The Convention recessed at 9:50 a.m.

RECESS

The Convention reconvened at 9:57 a.m.

President H. Guerrero: The meeting is now reconvened. Delegate Manglona?

Delegate P. Manglona: Mr. President, I move that we amend the substantive committees to read as follows: No. 1, Governmental Institutions; No. 2, Natural Resources and Personal Rights and Education; No. 3, Taxation and Finance; No. 4, Local Government and Other Matters.

Delegate Cing seconded the motion.

President H. Guerrero: It has been moved and seconded that the substantive committees be renamed as follows: One is Governmental Institutions; Two, Natural Resources, Personal Rights and Education; Three, Taxation and Finance; Four, Local Government. Discussions? Yes, Delegate Guerrero?

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Delegate L. Deleon Guerrero: Thank you, Mr. President. I have no reservations regarding the proposed amendment on the floor; however, Mr. President and fellow delegates, I believe we had a lengthy discussion during the prior Pre-Convention Committee's meeting on couple occasions and I think everyone had agreed, including the chairmen representing the delegates from their respective senatorial districts, that this particular proportionate of committees would be adopted at that particular meeting. It's to my surprise that my fellow delegates from Rota and Tinian are proposing a floor amendment at this stage. Thank you.

President H. Guerrero: Delegate Lizama?

Delegate J. Lizama: Mr. President, I think that was the understanding of the delegations when they met on several occasions. There was a proposal for a combination of the Personal Rights and Education with Natural Resources. And it was further agreed that we separate Finance and Taxation as a single committee, and we also created a committee by itself, the Local Government Committee and also the Governmental Institutions. So I think I agree with Delegate Manglona that there should be an amendment to this Rules.

President H. Guerrero: Delegate Kaipat?

Delegate B. Kaipat: Mr. President, practically, the document we are facing now was made almost totally by the Pre-Convention Committee, including the delegates from Saipan Senatorial District. So I think the delegates of this Convention from the other two senatorial districts have all the right to amend any version or provision of this document. They mentioned that there were some participations from the other senatorial districts. Yes, there were -- the Chairman from Tinian and also the Chairman from Rota, but the other members or delegates were not there. So practically, this document was made by the people from Saipan. So the gentleman who's making a motion for an amendment has all the right to do so. And the question here raised. Is the committee -- in the original document, there were only three committees but were eventually changed to four committees after a lengthy debate by the delegates from Saipan Senatorial District. Practically, we are the ones, from Saipan, that changed it from the original three committees to four committees. So this is the reason of confusion now. Now, arrangement between the people who made these four committees with Mafnas, as our Pre-Convention Chairman of the senatorial district of Saipan, and the thinking of the people from Rota and Saipan is quite different. As they have described and Mr. Manglona mentioned earlier that the combination of Personal Rights and Natural Resources and combination of Finance and Taxation and separation of Local Government as a whole separate committee and also one for Governmental Institutions was a suggestion of a certain group of people plus the people from Rota and Saipan but not from the senatorial district, chaired by Mr. Mafnas. So I will go along with Delegate Manglona from Rota.

President H. Guerrero: Can I recognize Delegate Cing first?

Delegate D. Cing: Thank you, Mr. President. This is just a response to Delegate Herman Guerrero. I don't think there is some illegality in meeting with other delegates prior to the convention. The problem here, Mr. President, is that we want to have four committees instead of four --

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at four committees instead of three. And this is why we are trying to make an amendment here on the floor, Mr. President. Thank you.

President H. Guerrero: Delegate Mafnas?

Delegate J. Mafnas: Thank you, Mr. President. I think it will be sad if we were to start this convention with accusation that our Rules is to satisfy a particular group or a particular delegate. I do not see any problem with the proposed amendment from the distinguished delegate from Rota. If this is a way to pave a better working relationship, I support the amendment, Mr. President, and I move for the previous question.

Delegate William Nabors seconded the motion.

Delegate R. Villagomez: Point of order.

President H. Guerrero: Yes, Delegate Villagomez?

Delegate R. Villagomez: Mr. President, there was a motion on the floor to amend the Rules. We don't have rules yet. There're no rules to amend. There has been a motion to amend -- I'm sorry. There was a motion to adopt the Rules that have been proposed and have been presented to us from the work of the Pre-Convention Committee. In order to expedite matters, I request the Chair to take this matter on this manner to go ahead and adopt the Rules, as proposed by the Pre-Convention Committee, and then this afternoon when we don't have people sitting here and waiting for us, we can then have motions to amend the Rules. We can't amend the rules that we don't have yet. For that reason, I propose that the Chair entertains the motion to adopt the Rules that have been proposed and then this afternoon we can entertain motions to change any of the rules. That will give them time to read everything and then they can change any part of the Rules and finish everything this afternoon. That's my recommendation to the Chair.

President H. Guerrero: Delegate Manglona?

Delegate P. Manglona: Mr. President, I tend to agree with Delegate Villagomez. I move that we adopt the Rules here. And as he suggested, we can....

Delegate J. Mafnas: Point of order, Mr. President.

President H. Guerrero: Delegate Mafnas?

Delegate J. Mafnas: There was a motion to adopt the Rules and it has been seconded. I think it would be appropriate for Delegate Manglona to withdraw his motion to amend the Rules.

Delegate P. Manglona: I withdraw my motion.

President H. Guerrero: Thank you. There's a motion....

Delegate W. Nabors: Previous question.

President H. Guerrero: ~~Previous question?~~

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Delegate L. Deleon Guerrero: We are back to the main motion.

President H. Guerrero: The motion to adopt....

Delegate W. Nabors: The proposed Rules.

President H. Guerrero: Previous question -- the proposed amendment.
Delegate Guerrero?

Delegate L. Deleon Guerrero: Yes; thank you, Mr. President. At this time, I would like to move to adopt the context of these proposed Rules. As there was a motion on the floor, so I would like to move also, at the same time, that we end the debate.

There was a second to the motion.

The motion to adopt the proposed Rules of Procedure was carried by voice vote.

President H. Guerrero: The next agenda is the Miscellaneous Business.

MISCELLANEOUS BUSINESS

Delegate W. Nabors: Mr. President, I would like to inquire as to the availability of a legal counsel immediately following the opening ceremony to meet with the Tinian Delegation for the purpose of preform the proposals that we have available.

President H. Guerrero: Can that be handled afterwards?

Delegate W. Nabors: Okay.

President H. Guerrero: Okay. The next agenda is the Announcements.

ANNOUNCEMENTS

President H. Guerrero: At this time, the Chair would like to announce that pursuant to Rule 8, I would like to appoint the first Vice President from Rota, Vincent M. Calvo; the second Vice President from Tinian, David Cing; and the third Vice President from Saipan, Delegate Maria Pangelinan. The Convention Secretary will be Bill Nabors and the Convention Floor Leader is Delegate Juan Lizama. At this time, I would like to call upon Bishop Tomas Camacho for the benediction.

(At this point, His Excellency Bishop Tomas A. Camacho administered the benediction.)

President H. Guerrero: Is there any motion to recess? Delegate Mendiola?

Delegate J. Mendiola: Mr. President, I would like to move to recess until the newly elected President organize the Convention itself, both, from administration to all the committees, until tomorrow morning at nine.

Delegate L. Deleon Guerrero seconded the motion.

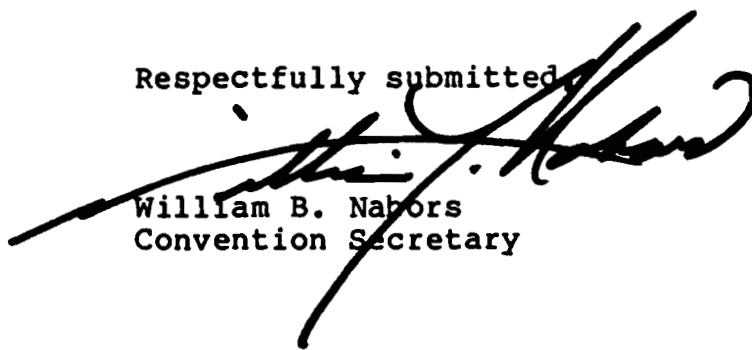
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President H. Guerrero: It has been moved and seconded that the Convention be recessed until tomorrow morning at nine o'clock.

The motion to recess until tomorrow morning at nine o'clock was carried by voice vote.

The Convention recessed at 10:12 a.m.

Respectfully submitted,



William B. Nabors
Convention Secretary